

CONFIRMATION OF LAND ENTRIES IN MISSOURI.

[To accompany Bill H. R. No. 806.]

JUNE 4, 1860.

Mr. THAYER, from the Committee on Public Lands, made the following

REPORT.

The Committee on Public Lands have examined the petition of William L. Jenkins and others, citizens of Osage county, Missouri, praying for the confirmation of certain entries of land, and have come to the conclusion that it ought to be granted, and adopt the letter from the General Land Office as their report. The committee therefore recommend the passage of the accompanying bill.

GENERAL LAND OFFICE, *April 6, 1860.*

SIR: I have the honor to return herewith the letter of James S. Laughlin *et al.*, and the petition of William L. Jenkins and nine other citizens of Osage county, Missouri, praying for the confirmation of certain entries made by them in township 45 north, range 9 west, south of Missouri river, under the graduation act of August 4, 1854.

In reference thereto I have to state that it appears from the records of this office that said township, both north and south of the river, was offered at public sale on the 22d of November, 1819; and it further appears that through some inadvertence the fractional township south of the river was marked on the plats of the local office as being not offered, and consequently it has always been treated as not subject to private entry, and until 1856 no entries were permitted therein, except to persons claiming under the pre-emption act of 1841.

The letter to which the petitioners allude as the authority under which the register permitted them to make their entries at the lowest graduation rate was simply a reply to a question submitted by Alton Long, esq., as to the time when said fractional township was offered, and stated the facts as shown by *our* records, and not those of the local office, which alone control or determine the condition of the land, and its liability to entry or location.

In view, however, of the fact that the register of St. Louis improperly accepted the information conveyed in this letter to a third party as conclusive, and disregarding the evidence of his own records, permitted these entries to be made; and in consideration of the cir-

cumstance that these purchasers were thereby misled and induced to make improvements upon the land as actual settlers under the graduation law in good faith, and with honest intent to comply with the requirements thereof, I would respectfully recommend that the prayer of the petitioners be granted, and a law be enacted confirming said entries under certain restrictions, as provided in the bill herewith enclosed.

Very respectfully, your obedient servant,

JOS. S. WILSON, *Commissioner.*

Hon. JOHN S. PHELPS,

House of Representatives.